

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
VS.) CASE NO. 02:06cr144-WKW-SRW
)
PAUL MEREZ GRAHAM)

ADDENDUM TO MOTION TO SUPPRESS

Comes now Defendant Paul Merez Graham, by and through counsel, and makes the following amendments and additions to his motion to suppress filed in this action on August 10, 2006.:

Paragraph 1 is amended to read: This motion to suppress relates to a search of a vehicle on January 10, 2006 at a Pizza Hut located at Coliseum Boulevard in Montgomery, Alabama and subsequent statements of Defendant Paul Merez Graham and a subsequent arrest of Defendant Paul Merez Graham at a motel and search of the motel room and statements made by Defendant Graham after that arrest.

Paragraph 2 is amended to include the additional subparagraphs:

d. Whether a subsequent arrest of Defendant Paul Merez Graham on an indictment which came about as a result of the foregoing search and statements was fruit of the foregoing search and statements.

The factual background is amended to include the additional paragraphs:

21. As a direct result of the aforementioned search and seizure and statements, on June 14, 2006, an indictment was returned in this action charging Defendant Graham with various drug and gun charges.

22. Defendant Paul Merez Graham was arrested on the indictment at a motel in Montgomery, Alabama on July 14, 2006.

23. In connection with the arrest on July 14, 2006, government agents searched the motel room and seized drugs, currency, and a weapon.

24. After the arrest, government agents questioned Defendant Paul Merez Graham. In response, Defendant Paul Merez Graham made incriminating statements.

25. The aforementioned arrest, search and seizure, and statements were fruits of the aforementioned January 10, 2006 search and seizure and statements.

26. Thus, the items seized on July 14, 2006 and statement made on July 14, 2006 are likewise inadmissible under the exclusionary rule.

WHEREFORE, Defendant Paul Merez Graham moves this Court to set this motion for a hearing, and upon hearing evidence and arguments, to enter an order suppressing the fruits of the searches and interrogations complained of herein.

s/ Thomas M. Goggans

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CERTIFICATE OF SERVICE

I hereby certify that I have on this the 12th day of September, 2006, electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such to the following: **Tommie Brown Hardwick, John T. Harmon, Christine A. Freeman**

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